

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GIGAMON, INC.**v.****APCON, INC.**

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Case No. 2:19-cv-00300-JRG

**MINUTES FOR JURY TRIAL DAY NO. 2
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
April 19, 2021**

OPEN: 08:34 AM**ADJOURN: 06:13 PM**

ATTORNEYS FOR PLAINTIFF:	See attached.
ATTORNEYS FOR DEFENDANT:	See attached.
LAW CLERKS:	Lee Matalon Will Nilsson Cason Cole
COURT REPORTER:	Shelly Holmes, CSR-TCRR
COURTROOM DEPUTY:	Andrea Brunson

<u>TIME</u>	<u>MINUTES</u>
08:34 AM	Court opened. Court informed counsel of a major highway accident resulting in two jurors being rerouted in their travel to the courthouse causing a delay in their arrival. The Court addressed the filing of Dkt. No. 287 and Dkt. No. 288. Court DENIED both the motion and the response.
08:41 AM	Court recessed and will reconvene upon the arrival of the two jurors.
08:51 AM	Court reconvened. Court reminded counsel of the invoking of the Rule, excluding expert witnesses.
08:52 AM	Jury entered the courtroom.
08:53 AM	Witness sworn. Direct examination of Dr. Patrick Leong by Mr. Davis.
09:52 AM	Cross examination of Dr. Patrick Leong by Mr. Alper.
10:23 AM	Redirect examination of Dr. Patrick Leong by Mr. Davis.
10:40 AM	Recross examination of Dr. Patrick Leong by Mr. Alper.
10:42 AM	Witness excused by the Court.
10:42 AM	Jury recessed for morning break.
10:43 AM	Court recessed for morning break.

<u>TIME</u>	<u>MINUTES</u>
10:59 AM	Court reconvened.
10:59 AM	Jury returned to courtroom.
11:00 AM	Witness sworn. Direct examination of Mr. Paul Hooper by Mr. McDavit.
11:30 AM	Cross examination of Mr. Paul Hooper by Mr. De Vries.
11:41 AM	Jury returned to Jury Room.
11:42 AM	Objection item taken up by the Court outside the presence of the Jury. Objection raised by Mr. McDavit. Mr. De Vries responded.
11:49 AM	Jury returned to courtroom.
11:50 AM	Cross examination of Mr. Paul Hooper by Mr. De Vries, continued.
12:15 PM	Redirect examination of Mr. Paul Hooper by Mr. McDavit.
12:24 PM	Recross examination of Mr. Paul Hooper by Mr. De Vries.
12:27 PM	Witness excused.
12:27 PM	Jury recessed for lunch.
12:30 PM	Court recessed for lunch.
01:41 PM	Court reconvened.
01:42 PM	Jury returned to courtroom.
01:43 PM	Mr. Kellman introduced the video deposition of Mr. Mohit Jalori.
01:51 PM	Video deposition of Mr. Mohit Jalori concluded.
01:52 PM	Mr. Kellman introduced the video deposition of Mr. Bret Costelow
01:53 PM	Video deposition of Mr. Bret Costelow concluded.
01:53 PM	Mr. Kellman introduced the video deposition of Mr. Rick Bradley.
01:56 PM	Video deposition of Mr. Rick Bradley concluded.
01:56 PM	Witness sworn. Direct examination of Dr. Kevin Almeroth by Ms. Spencer.
03:13 PM	Jury recessed for afternoon break.
03:14 PM	Court recessed for afternoon break.
03:37 PM	Court reconvened.
03:38 PM	Jury returned to courtroom.
03:39 PM	Direct examination of Dr. Kevin Almeroth by Ms. Spencer, continued.
04:10 PM	Cross examination of Dr. Kevin Almeroth by Mr. Alper.
04:54 PM	Redirect examination of Dr. Kevin Almeroth by Ms. Spencer.
04:59 PM	Recross examination of Dr. Kevin Almeroth by Mr. Alper.
05:01 PM	Further redirect examination of Dr. Kevin Almeroth by Ms. Spencer.
05:02 PM	Witness excused.
05:02 PM	Jury recessed for afternoon break.
05:03 PM	Court recessed for afternoon break.
05:18 PM	Court reconvened.
05:18 PM	Jury returned to courtroom.
05:19 PM	Witness sworn. Direct examination of Professor Kevin Jeffay by Mr. McDavit.
06:10 PM	Jury recessed for the day.
06:13 PM	Court recessed for the day.